

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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DWANVAE PEARSON,

Case No. 3:21-cv-00363-MMD-CLB

Plaintiff,

ORDER

v.

WILLIAM GITTERE, *et al.*,

Defendants.

Pro se Plaintiff Dwanvae Pearson brings this action under 42 U.S.C. § 1983. Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Carla L. Baldwin (ECF No. 24), recommending that the Court dismiss this action for Pearson’s failure to comply with Local Rule IA 3-1. Pearson had until January 13, 2023 to file an objection. To date, no objection to the R&R has been filed.¹ For this reason, and as explained below, the Court adopts the R&R in full and dismisses this action.

Because there is no objection, the Court need not conduct *de novo* review and is satisfied Judge Baldwin did not clearly err. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original). Here, Judge Baldwin recommends dismissing this action because Pearson has failed to update his address with the Court in accordance with Local Rule IA 3-1 or otherwise indicate an intent to prosecute this action, and all the relevant factors weigh in favor of dismissal. (ECF No. 24 at 1-2.) The Court agrees with Judge Baldwin. Having reviewed the R&R and the record in this case, the Court will adopt the R&R in full.

¹The R&R was returned as undeliverable. (ECF No. 25.) However, it is Pearson’s responsibility to file notification of any change of mailing address. See LR IA 3-1.

1 It is therefore ordered that Judge Baldwin's Report and Recommendation (ECF
2 No. 24) is accepted and adopted in full.

3 It is further ordered that this action is dismissed without prejudice.

4 The Clerk of Court is directed to enter judgment in Defendants' favor and close this
5 case.

6 DATED THIS 18th Day of January 2023.

A handwritten signature in blue ink, appearing to read 'Miranda M. Du', is written over a horizontal line.

MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE